



January 25, 2006

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## SENATE BILL No. 100

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DIGEST OF SB 100 (Updated January 24, 2006 12:13 pm - DI 71)

**Citations Affected:** IC 4-32.

**Synopsis:** Charity gaming. Changes the definition of "bona fide political organization" as the term is used in the charity gaming law to specifically include, rather than exclude, a candidate's committee. Authorizes the commissioner of the department of state revenue to issue annual raffle licenses. Provides that an annual raffle license authorizes not more than five raffle events in a calendar year. Allows a qualified organization that is a bona fide political organization to conduct an allowable event in any county.

**Effective:** July 1, 2006.

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**Jackman, Hershman**

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January 9, 2006, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.  
January 24, 2006, amended, reported favorably — Do Pass.

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SB 100—LS 6351/DI 92+



January 25, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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## SENATE BILL No. 100

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-32-6-7 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) "Bona fide political  
3 organization" means **a candidate's committee (as defined in**  
4 **IC 3-5-2-7)**, a party committee, **an** association, **a** fund, or **other**  
5 **another** organization, whether incorporated or not, organized and  
6 operated primarily for the purpose of directly or indirectly accepting  
7 contributions or making expenditures, or both, for an exempt function  
8 (as defined in Section 527 of the Internal Revenue Code).

9 (b) ~~The term does not include a candidate's committee (as defined~~  
10 ~~in IC 3-5-2-7):~~

11 SECTION 2. IC 4-32-9-8.5 IS ADDED TO THE INDIANA CODE  
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
13 1, 2006]: **Sec. 8.5. The commissioner may issue an annual raffle**  
14 **license to a qualified organization upon the organization's**  
15 **submission of an application and payment of a fee determined**  
16 **under IC 4-32-11. The license must:**

17 (1) **authorize the qualified organization to conduct not more**

SB 100—LS 6351/DI 92+



1           **than five (5) raffle events in the calendar year in which the**  
 2           **license is issued; and**  
 3           **(2) state the date, beginning and ending times, and location of**  
 4           **each raffle event conducted by the qualified organization in**  
 5           **the calendar year.**

6           SECTION 3. IC 4-32-9-21 IS AMENDED TO READ AS  
 7           FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. (a) Except:

- 8                   (1) where a qualified organization or its affiliate is having a  
 9                   convention or other annual meeting of its membership; **or**  
 10                   **(2) as provided in subsection (c);**

11           a qualified organization may only conduct an allowable event in the  
 12           county where the principal office of the qualified organization is  
 13           located **as determined under subsection (b).**

14           **(b)** The principal office of a qualified organization shall be  
 15           determined as follows:

16                   (1) Except as provided in subdivision (3) or ~~subdivision~~ (4), if a  
 17                   qualified organization is a corporation, the principal office shall  
 18                   be determined by the street address of the corporation's registered  
 19                   office on file with the secretary of state.

20                   (2) If a qualified organization is not a corporation, the principal  
 21                   office shall be determined by the street address of the  
 22                   organization on file with the Internal Revenue Service, the  
 23                   department, or county property tax assessment board of appeals  
 24                   for tax exempt purposes.

25                   (3) If a qualified organization is affiliated with a parent  
 26                   organization that:

- 27                           (A) is organized in Indiana; and  
 28                           (B) has been in existence for at least five (5) years;  
 29                   the principal office shall be determined by the principal place of  
 30                   business of the qualified organization.

31                   (4) If a qualified organization is affiliated with a parent  
 32                   organization that:

- 33                           (A) is a nationally recognized charitable organization;  
 34                           (B) serves a majority of counties in Indiana; and  
 35                           (C) has been in existence for at least twenty-five (25) years;  
 36                   the principal office shall be deemed to be present in every county  
 37                   served by the organization.

38           **(c) A qualified organization that is a bona fide political**  
 39           **organization may conduct an allowable event in any county.**

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SENATE MOTION

Madam President: I move that Senator Hershman be added as second author of Senate Bill 100.

JACKMAN

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill No. 100, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, after line 5, begin a new paragraph and insert:

"SECTION 3. IC 4-32-9-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. (a) Except:

(1) where a qualified organization or its affiliate is having a convention or other annual meeting of its membership; or

(2) as provided in subsection (c);

a qualified organization may only conduct an allowable event in the county where the principal office of the qualified organization is located as determined under subsection (b).

(b) The principal office of a qualified organization shall be determined as follows:

(1) Except as provided in subdivision (3) or ~~subdivision~~ (4), if a qualified organization is a corporation, the principal office shall be determined by the street address of the corporation's registered office on file with the secretary of state.

(2) If a qualified organization is not a corporation, the principal office shall be determined by the street address of the organization on file with the Internal Revenue Service, the department, or county property tax assessment board of appeals for tax exempt purposes.

(3) If a qualified organization is affiliated with a parent organization that:

(A) is organized in Indiana; and

(B) has been in existence for at least five (5) years;

the principal office shall be determined by the principal place of business of the qualified organization.

(4) If a qualified organization is affiliated with a parent

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organization that:

- (A) is a nationally recognized charitable organization;
  - (B) serves a majority of counties in Indiana; and
  - (C) has been in existence for at least twenty-five (25) years;
- the principal office shall be deemed to be present in every county served by the organization.

**(c) A qualified organization that is a bona fide political organization may conduct an allowable event in any county."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 100 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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